

SENATE BILL No. 564

October 15, 2015, Introduced by Senators PAVLOV, ZORN, COLBECK, CASPERSON, JONES, MEEKHOF, NOFS, BOOHER, SCHUITMAKER, BRANDENBURG, PROOS, EMMONS, HANSEN, ROBERTSON, KNOLLENBERG, MARLEAU, STAMAS and MACGREGOR and referred to the Committee on Oversight.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 2690 (MCL 333.2690).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2690. (1) A person shall not knowingly sell, **COLLECT ANY**
2 **FEE FOR**, transfer, distribute, or give away an embryo, fetus, or
3 neonate for a use ~~which~~**THAT** is in violation of sections 2685 to
4 2689.

5 (2) A PERSON SHALL NOT KNOWINGLY FINANCIALLY BENEFIT FROM OR
6 RECEIVE ANY TYPE OF COMPENSATION FOR THE DISTRIBUTION OR TRANSFER
7 OF ANY PORTION OF AN EMBRYO, FETUS, OR NEONATE INCLUDING ANY
8 ORGANS, TISSUES, OR CELLS THAT WERE OBTAINED AS THE RESULT OF AN
9 ELECTIVE ABORTION. AS USED IN THIS SUBSECTION, "ELECTIVE ABORTION"
10 MEANS THE INTENTIONAL USE OF AN INSTRUMENT, DRUG, OR OTHER
11 SUBSTANCE OR DEVICE TO TERMINATE A WOMAN'S PREGNANCY FOR A PURPOSE

1 OTHER THAN TO INCREASE THE PROBABILITY OF A LIVE BIRTH, TO PRESERVE
2 THE LIFE OR HEALTH OF THE CHILD AFTER LIVE BIRTH, OR TO REMOVE A
3 FETUS THAT HAS DIED AS A RESULT OF NATURAL CAUSES, ACCIDENTAL
4 TRAUMA, OR A CRIMINAL ASSAULT ON THE PREGNANT WOMAN. ELECTIVE
5 ABORTION DOES NOT INCLUDE ANY OF THE FOLLOWING:

6 (A) THE USE OR PRESCRIPTION OF A DRUG OR DEVICE INTENDED AS A
7 CONTRACEPTIVE.

8 (B) THE INTENTIONAL USE OF AN INSTRUMENT, DRUG, OR OTHER
9 SUBSTANCE OR DEVICE BY A PHYSICIAN TO TERMINATE A WOMAN'S PREGNANCY
10 IF THE WOMAN'S PHYSICAL CONDITION, IN THE PHYSICIAN'S REASONABLE
11 MEDICAL JUDGMENT, NECESSITATES THE TERMINATION OF THE WOMAN'S
12 PREGNANCY TO AVERT HER DEATH.

13 (C) TREATMENT ON A PREGNANT WOMAN WHO IS EXPERIENCING A
14 MISCARRIAGE OR HAS BEEN DIAGNOSED WITH AN ECTOPIC PREGNANCY.

15 Enacting section 1. This amendatory act takes effect 90 days
16 after the date it is enacted into law.